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EXCISE 875

DEPARTMENT OF STATE A/CDC/MR
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HICOG, BERLIN Element A-56 February 3, 1953 185
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For your information, there are quoted below the text of an article on Spandau prison received from Congressman Peter Frelinghuysen, and also the text of a letter conveying to Mr. Frelinghuysen the Department's comments on the article. The Department would be glad to receive any observations or suggestions which might be useful in connection with similar inquiries.

"Seven Men Behind The Walls of Spandau

"Translated From The Journal Of The Evangelical Church, Wurttemberg.

"Things have calmed down around those seven men who are being kept at Spandau since 17th July 1947. They are cut off from the outside world and the outside world is cut off from them. A large military organization has been set up to guard them, including watch-towers, electrically charged wire fences, barbed-wire-entanglements, dogs and 73 soldiers. Each year the Germans have to pay 250,000 DM for them. It is true, that the four-power-alliance guarding them has gone to pieces long ago, but in Spandau their cooperation is perfect. Nothing has changed. The other "chief war criminals" were punished more heavily; they were hanged. But was their punishment actually harsher? If we read of the treatment of those men in Spandau, we have reason to doubt it. They were allowed to live; yes,

"that's true. But they were walled up alive.

"The life that a mass-murderer like Pfaff is permitted to live in his penitentiary is truly luxurious, compared to those men at Spandau. If such a man happens to get ill, he is taken to a hospital. He still has a proper name of his own, and he is called by this, his own name. He can work on a reasonable job and he may sleep at night.

"Those men at Spandau may not.

"Their cells are flooded with light by night and by day. By night they are regularly checked by the men on guard; there they are flashed at with flashlights and if they happen to have their hands underneath

their blanket,

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their blanket, they risk being shaken to waken them up. Once a month they may write and receive a letter.

"Every two months they may receive a visit, but the visit may only last 15 minutes and they may not squeeze the hand of the wife or the son visiting them. During the county minutes of the visit up to 15 guards are present and a stenographer notes down every single word spoken.

"On the back of their jackets they wear numbers and by those numbers are they called.

"After all they are no longer human beings, but mere ciphers.

"They may not speak together and may not speak to their guards.

"They may not read any newspapers and may not listen to the radio.

"They may not receive gift parcels, not even for their birthday nor for Christmas.

"They may not do this nor do that and the other.

"That is their sentence.

"Were human beings or monsters invented these paragraphs which within their net form a dexterous system to make these men suffer continually and to torture them to their dying breath?

"It is reported that Rudolf Hess, a man who is no longer mentally sane, ate a nut lying in the grounds. The retaliation was that his cell was "cleaned out" for a fortnight. Even his beard bedstead which served him as a resting place, was taken out. Only a chair was left him, on which he had to pass these 14 days and nights.

"Who in America, in England, in France, in Soviet Russia would not be ashamed on hearing this?

"Even those in whom the lust for revenge is not yet stilled must feel that an execution of a sentence in such a way nullifies themselves. Because this is no longer a sentence, behind which the pathos of a true revenge arises.

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"This is only a compilation of mean vexations. No Frenchman, no Englishman, no Russian or American profits by these senseless vexations. It would not even be an act of magnanimity but only an accounting of the most primitive human rights to let these men sleep at night at least, or to permit more frequent visits of the relatives or to permit them to write more letters. They are broken in body and soul. Freiherr von Neurath is 79 years of age, Admiral Raeder is 76 years old, Funk is suffering from a disease of the bladder, Donitz is suffering from diabetes.

"Oh, certainly, we are informed that certain mitigations have been granted to them. One of these is that now the relatives are informed of the exact day on which they may pay their visit to Spandau so that they need no longer hang about in Berlin before being admitted to see their relative.

"Another mitigation is that the monthly letter, which is of course strictly censored, is now handed out after ten days and not after a period of three weeks. And finally a further mitigation consists of the fact that the double wire grating separating the visitors from the prisoners in the visitors' room has been changed into a single grating, but of finer mesh. That is all.

"But in all the past seven years prisoners and their relatives have never been permitted to shake hands. Such a permission evidently exceeds the limits of magnanimity which led the allied prison control authorities to permit the aforementioned mitigations.

"At one time at Nurnberg the judges of four nations stood as accusers before these men. Now the parts have changed. In the name of insulted humanity - they lifted up their voices at Nurnberg in the name of insulted humanity - the judges threw a net of paragraphs over the sentenced men, in order to strangle them with a cold and refined cruelty.

"Many years have passed since then.

"The insight and the feelings of the peoples have changed. But in Spandau the hands of the clock stood still. Here a murderous bureaucracy of hatred reigns on and no cabinet, no Parliament, no party

either

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either in East or West have felt ashamed nor have thought of their duty towards humanity nor lifted up a voice of compassion.

"END

"THE NATIONAL COUNCIL FOR PREVENTION OF WAR
1013 Eighteenth Street Northwest
Washington 6, D. C.

"December 17, 1952"

"February 3, 1953

"In reply refer to
"662.0026/1-2353

"My dear Mr. Fruilinghuysen:

"The Department has received your letter of January 23, 1953, and also your letter of January 15, which was forwarded by the Department of the Army, together with its enclosure, a publication entitled "Seven Men Behind the Walls of Spandau." It appears that you received this article from a constituent who desires to know whether it is a true statement of the conditions in the Spandau prison, and, if it is, what can be done to rectify the situation.

"The article is expressed in emotional terms and contains many conclusions and purported statements of fact, some of which appear to be based upon rumor. The Department has not sufficient information at hand to know just how much of the article is true and how much is not. There are in it, however, several statements which are known to be inaccuracies: for example, it is not true that the cells are flooded with light at night, nor that lights are flashed on the prisoners so as to keep them awake, nor that the prisoners may not talk to one another, nor that they may write and receive only one letter a month, and receive only one fifteen-minute

visit every

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visit every two months.

"Instead of attempting to appraise the truth of all the allegations in the publication, it may serve your purpose if this letter is concerned with the essential points raised by your communication. These points seem to be that conditions in Spandau are intolerably severe, and that steps should be taken to improve them. It is true that conditions in the prison are strict; but it is also true that the American occupying authorities in Germany, together with the British and French, have wished to improve them and have made many efforts to do so. While there has been some progress in this direction, the essential difficulty has been, and continues to be, that the regulations of the prison cannot be changed without the concurrence of the Soviet authorities. The prison is under quadripartite control, and its administration rotates monthly among the four occupying powers. The prison regulations were quadripartitely agreed upon, and decisions regarding the administration of the prison and any changes in the regulations must all be made by unanimous consent. Contrary to the implication in the article, the Soviets have shown themselves unwilling to make any extensive improvements.

"While conditions at Spandau are strict, the Department does not have reason to believe that they are as inhumane as the publication makes out. The situation is obviously not a satisfactory one, but it is not going by default, as the article implies, and you may be sure that the Allied authorities will continue to do what they can to change conditions for the better, subject to the unavoidable difficulties of Soviet indifference and opposition.

"The Department hopes this letter will cover the points you have in mind, but will be glad to consider the matter again, if you should have further questions.

"Sincerely yours,

"Thruston B. Morton
"Assistant Secretary

"The Honorable
Peter Frelinghuysen,
House of Representatives."

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ACTING

TO	REC'D BY (INITLS)	DATE FORWARDED	RETURN TO FILES AND RECORDS BY	FILE No.
				CASE No.
		10 '55	'56	
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SUBJECT

[redacted] to Berlin [redacted] 3 Feb 53
[redacted] panish prison

INTERNAL ROUTING

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Form AA-224a (Rev. 53)

CHARGE-OUT TRANSMITTAL SLIP